

since the article would not effect the result and would not fulfill the promise of benefit stated and implied.

**DISPOSITION:** September 21, 1953. Default decree of condemnation and destruction.

**4236. Misbranding of 3 Roses Hair Gror. U. S. v. 222 Jars \* \* \*. (F. D. C. No. 35306. Sample No. 55145-L.)**

**LIBEL FILED:** June 9, 1953, Eastern District of Wisconsin.

**ALLEGED SHIPMENT:** On or about April 3 and May 6, 1953, from Tampa, Fla. This was a return shipment.

**PRODUCT:** 222 jars of 3 *Roses Hair Gror* at Milwaukee, Wis. Analysis showed that the product was petrolatum, with perfume and certified coal-tar colors added. The product was contained in glass jars, each containing approximately 13 ounces by weight.

**LABEL, IN PART:** (Jar) "Don't Starve Your Hair Keep it growing! Contents 4 OZS. or Over Use 3 Roses Hair Gror Will Improve Your Hair Instantly."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the name "3 Roses Hair Gror" and the label statements "Don't Starve Your Hair Keep it growing!" and "Will Improve Your Hair Instantly" were false and misleading. These statements represented and suggested that the article would grow hair, whereas the article would not grow hair.

Further misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 4 Ozs. or Over" was inaccurate.

**DISPOSITION:** November 18, 1953. Default decree of condemnation and destruction.

**4237. Misbranding of Magnetic Ray belt. U. S. v. 1 Device, etc. (F. D. C. No. 35324. Sample No. 67254-L.)**

**LIBEL FILED:** June 24, 1953, Southern District of Mississippi.

**ALLEGED SHIPMENT:** On or about May 25, 1953, by Dr. Frank B. Moran, from Coppel, Tex.

**PRODUCT:** 1 device known as *Magnetic Ray belt* and its accessory (consisting of a coil of wire attached to a socket containing a flashlight bulb) at Purvis, Miss., together with a number of pamphlets entitled "Directions For Taking Magnetic Ray Treatments" and "Magnetic Ray Treatment" and a letter dated May 24, 1953, from "Magnetic Ray Company, Frank B. Moran, M. D."

The device was a belt consisting of a coil of wire intended for connection to a source of electric current. Accompanying the belt, but not attached to it, was the accessory consisting of a coil of wire attached to a socket containing a flashlight bulb which glowed when the secondary coil was brought near the belt, if the belt was in operation. By means of this accessory the user was able to determine whether an electric current was passing through the belt.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the above-mentioned pamphlets and letter accompanying the device and its accessory were false and misleading. The statements represented and suggested that the device constituted a powerful factor in restoring and preserving health, an effective weapon to fight disease, a source of health-giving rays, and an effective modality in the prevention and relief of human ills, the treatment and prevention of disease, and in effecting a healthful body and mind at ease;